

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED  
  
DEC 29 2006  
  
JOHN F. CORCORAN, CLERK  
BY: *S. Taylor*  
DEPUTY CLERK

In accordance with the Memorandum Opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that this action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), as frivolous and is stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 29<sup>th</sup> day of December, 2006.

  
James L. Tisch  
Senior United States District Judge